

Licensing Boards Utilizing INSPECT

PURPOSE

To ensure that professional licensing boards, board members, and board directors fully validate INSPECT materials and meet a reasonable investigatory standard before they utilize INSPECT materials for board-related matters.

SCOPE

This policy applies to all Board of Pharmacy/Controlled Substances Advisory Committee (CSAC) compliance officers, professional licensing boards, board members, and board directors.

STATEMENT OF POLICY

According to IC-35-48-7-11.1, the INSPECT Program *may* release confidential patient information to professional licensing boards, provided the board is engaged in an investigation, adjudication, or prosecution of a violation under a state or federal law pertaining to controlled substances. However, the INSPECT program will not extend *individual account access privileges* to boards, board members or board directors. Should a board require an INSPECT report for a specific licensee, they must issue a formal request to the applicable Board of Pharmacy/CSAC compliance officer (see below).

Individual board members are permitted to establish practitioner or law enforcement accounts with INSPECT should they want and qualify for one. However, any INSPECT Patient/Practitioner Rx History Report generated from an individual board member's own INSPECT account cannot be used for board-related purposes.

REFERENCES

IC-35-48-7-11.1

BOARD REQUEST PROCEDURES

1. *Initiating an Investigation on a Licensee:* If a licensing board seeks to obtain INSPECT records for a particular licensee, they must first submit a formal request to a Pharmacy/CSAC Compliance Officer.
2. *Meeting Reasonable Investigatory Standard:* The Compliance Officer will then proceed to collect additional information related to the matter, begin a case file, and, if warranted, generate an INSPECT Report. The primary role of the Compliance Officer is evidence-gathering and validation.
3. *Validation of INSPECT Report:* Because INSPECT cannot guarantee the veracity of the information contained in the INSPECT Report, a Compliance Officer, upon receipt of the INSPECT Report, must take steps to validate the contents of the report.
4. *Review by Board/Board Designee:* Once the contents of the INSPECT Report have been fully validated, the INSPECT Report may be reviewed by the Board and/or the Board Designee.